

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
PRINCIPAL BENCH
NEW DELHI

O.A. No. 1642/96

Date of decision 18-9-96

Hon'ble Smt. Lakshmi Swaminathan, Member (J)

Shri P.M. Kurian,
r/o 33C Pocket-L, Phase-II,
Sheikh Sarai, New Delhi-17
(By Advocate Sh.R.G.James)

... Applicant

Vs.

1. Union of India through its Secretary,
Ministry of Planning, Yojana Bhawan,
New Delhi.

2. Joint Director, Data Processing Centre,
National Sample Survey Organisation,
Ministry of Planning, Govt. of India,
Hans Bhawan, Bahadur Shah Zafar Marg,
New Delhi-2

(By Advocate Sh.K.R. Sachdeva) ... Respondent

ORDER (ORAL)

(Hon'ble Smt. Lakshmi Swaminathan, Member (J))

Respondents have filed reply today vide dy.

No. 7770. I have heard both the learned counsel and perused the records.

2. The applicant has challenged the validity of memorandum dated 16.7.96 issued to him by the respondents calling upon him to explain as to why the date of birth as recorded in part-II of details of service particulars/ISI ^{from} as 8.9.35 should not be taken as correct and he may be retired from service on 30.9.93. To this memorandum, the applicant has given reply dated 26.7.96 that his date of birth as recorded in the service book is 8.4.43 may be maintained as correct.

3. Shri K.R. Sachdeva, learned counsel for the respondents submits that without waiting for decision by the respondents on the representation submitted by

(3)

him on 26.7.96, the applicant has filed this OA on 11.8.96. In the circumstances, Shri Sachdeva therefore, submits that this OA is premature.

4. After consideration of the above submissions and the records, it is clear that this OA is not maintainable having regard to the provisions of Rule 20 of Administrative Tribunals Act., 1985.

5. O. A. is dismissed for the above reasons at the admission stage. No order as to costs.

Lakshmi Swaminathan
(Smt. Lakshmi Swaminathan)
Member (J)

S.K.